

REMARKS / ARGUMENT

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks / Argument is respectfully requested. Applicant respectfully traverses all outstanding rejections.

Claim Amendments

Claims 1-2, 4-5, 10, 14, 32, 35, 41, and 48-74 are amended herein. Claims 7-8, 30-31, 38-39, 43-47, and 75-82 are cancelled. Claim 48 is amended from an independent claim to a dependent claim (from claim 1). Claim 5 is amended solely to correct dependency in view of the amendments to antecedent claim 1. Claim 14 is amended solely to correct a typographical error. Claims 50-74 are amended solely to correspond with the amendments to antecedent claim 48. As a result of these amendments, claims 1-6, 9-29, 32-37, 40-42, and 48-74 remain in this application, with claims 1 and 32 as independent claims. Applicant respectfully submits that no new matter is added by these amendments.

Rejections under 35 U.S.C. 102

Claims 1-2, 7-9, 12-13, 18-19, 25, 28, 30-33, and 38-40 stand rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,012,049 to Schier ("Schier").

Applicant has amended claims 1 and 32 herein to incorporate the use of pseudo-noise (PN) code for the radio signal and over-sampling (via an analog-to-digital converter (ADC)) of the radio signal to at least five times over the PN chip rate. Schier lacks any disclosure or teaching of the use of PN code or of over-sampling of signals. Thus, Applicant respectfully submits that Schier does not anticipate claims 1 and 32, as amended herein, in accordance with 35 U.S.C. 102(b) and further respectfully submits that the rejection be withdrawn.

Similarly, as claims 2, 9, 12-13, 18-19, 25, 28, 32-33 and 40 depend from on of claims 1 and 32, Applicant further respectfully submits that Schier does not anticipate these claims and that the rejection be withdrawn accordingly.

As claims 7-8, 30-31, and 38-39 are canceled herein, Applicant makes no submissions or admissions as to the applicability of Schier to those claims.

Rejections under 35 U.S.C. 103

Claims 11, 14-17, 20, 22, 26-27, 29 and 42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Schier.

Claims 3 and 34 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Schier in view of U.S. Patent No. 5,591,945 to Kent ("Kent").

Claims 4-6, 10, 21-23, 35-37, 41, 43-44, 46-52, 54-75, and 76-82 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Schier in view of U.S. Patent No. 6,249,252 to Dupray ("Dupray").

Claim 45 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schier in view of Dupray and Kent.

Applicant has amended claims 1 and 32 herein to incorporate the use of pseudo-noise (PN) code for the radio signal and over-sampling (via an analog-to-digital converter (ADC)) of the radio signal to at least five times over the PN chip rate, as discussed above. As discussed above, Schier contains no disclosure of PN code or of any over-sampling of the signal.

Furthermore, while Dupray has a brief and passing reference to PN code signals, the disclosure contains no discussion or teaching of over-sampling of the radio signal. Similarly, Kent has no discussion or teaching of over-sampling of the radio signal.

As claims 4-6, 10-11, 14-17, 20-23, 26-27, 29, 35-37, 41-42, 48-52 and 54-74 all depend from one of claim 1 or claim 32, both of which, as amended, include over-sampling of the radio signal, Applicant respectfully submits that the rejection no longer applies. Applicant further submits that all claims are patentable over Schier, Dupray and Kent, singly or in combination, and that the rejections be withdrawn.

Finally, with claims 43-47 and 75-82 canceled herein, Applicants makes no submissions or admissions as to the applicability of Schier, Dupray and Kent, singly or in combination, to those claims.

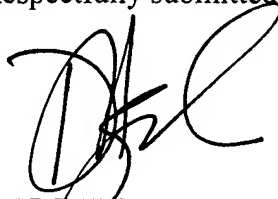
Summary

For the foregoing reasons, the Applicant respectfully submits that the subject application is in condition for allowance and earnestly and respectfully solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 01-0433. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 01-0433.

Should the Examiner have any questions or wish to discuss further this matter, please contact the undersigned at the telephone number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'D. Agarwal', written over a horizontal line.

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